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TO: Art Unit 1638 - Mail Stop Amendment

COMPANY: USPTO

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FROM: LILA A. T. AKRAD

NUMBER OF PAGES (Including cover): 10

Please file the attached **PRELIMINARY AMENDMENT** for the following:

APPLICANTS : LUEDTKE, Roy Jr.  
SERIAL NO : 10/785,138  
FILED : February 24, 2004  
TITLE : INBRED MAIZE LINE PH3PV

Grp./A.U. : 1638  
Examiner :  
Conf. No. : 8177  
Docket No. : P06272US01 - PHI 1333C

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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## PRELIMINARY AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

It is respectfully requested that this Preliminary Amendment be entered and made of record in response to the recent Board of Appeal decisions in U.S. Patent applications 10/000,311; 09/771,938; and 09/772,520 and the applicability of the reasoning of those Board decisions to the claims and arguments in the present case. The following amendments and remarks place the application in form for allowance. No new matter is presented, as such the Amendment is proper under 37 C.F.R. § 1.115. Applicant respectfully requests reconsideration.

09/14/2005 SSITHIB1 00000055 260084 10785138

01 FC:1201 200.00 DA  
02 FC:1202 700.00 DA

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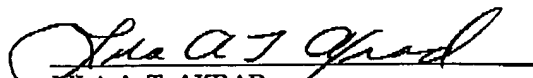
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## FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office, Art Unit 1638 at Fax No. (571) 273-8300.

Date: 9/13/05

  
LILA A. T. AKRAD

**Introductory Comments**

Claims 1-10 are pending in the present application.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 8 of this paper.